

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3130
)	
v.)	
)	MEMORANDUM AND ORDER
MILTON SCURLOCK,)	
)	
Defendant.)	

The defendant has orally moved to continue trial, (filing no.37), because defense counsel needs additional time to investigate the case and complete discovery. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Milton Scurlock's motion to continue, (filing no. 37), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on December 5, 2011 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the representations of defendant's counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and December 5, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

September 7, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge